

REMARKS

Claims 1 - 4 and 6 - 9 are pending and under consideration.

In the Office Action, Claims 1 - 4 and 6 - 9 were rejected.

In this Amendment, Claim 1 is amended, Claim 3 has been cancelled. Claim 10 has been added. No new matter has been introduced as a result of this amendment.

Accordingly, Claims 1, 2, 4 and 6 - 10 are now at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims 1 - 4 and 8 - 9

Claims 1 - 4 and 8 - 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sudano et al. ("Sudano") (U.S. Patent No. 6,993,077) in view of MatWeb "Overview - Polycarbonate, Molded" or "Overview - Polypropylene, Molded".

Claim 1 is directed to a battery, which comprises an anode, a cathode, and electrolyte. Claim 1 has been amended by incorporating the limitations of Claim 3. Amended Claim 1 recites that the resin layer includes one or more through-hole(s) extending from one major surface to an opposite major surface thereof."

In the rejection of Claim 2, the Examiner stated that the resin layer of Sudano would inherently include one or more through-holes extending from one major surface to the opposite surface thereof because it is structurally the same as that instantly discloses. Applicants are in agreement with the Examiner in that Sudano discloses a resin layer. However, Applicants respectfully disagree with the Examiner in that the resin layer in Sudano inherently includes through-holes.

In the instant application, one or more through-hole(s) are formed in the resin layers of the anode and the cathode for extending from one major surface to the opposite major surface, respectively. This formed structure of the resin layers increases the electrical contact across the anode metal and the cathode metal layers formed on both major surfaces of the anode resin and the cathode resin films, respectively, thereby improving the electron conductivity.

Thus, the MatWeb reference relied on by the Examiner only discloses information about the true specific gravity or density of the polymers, and Sudano fails to teach or suggest the formed through-holes in the resin layers of the anode and the cathode. Hence, these two references may not properly be combined to reject Claim 1.

Accordingly, Claim 1 is patentable, as are dependent Claims 2, 4, and 8 – 9 for at least the same reasons.

II. 35 U.S.C. § 103 Obviousness Rejection of Claim 7

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sudano in view of MatWeb as applied to claim 1 above, and further in view of Kimijima et al. (“Kimijima”) (U.S. Patent No. 6,682,853).

Claim 7 is dependent on Claim 1, shown above to be patentable over Sudano in view of MatWeb. Moreover, Kimijima fails to teach or suggest the above discussed distinguishable limitation of Claim 1. Further, no combination of the cited references fairly teaches or suggests the subject matter of Claim 7. Accordingly, Claim 7 is patentable over Sudano, in view of MatWeb and further in view of Kimijima for at least the same reasons.

III. 35 U.S.C. § 103 Obviousness Rejection of Claims 1 – 9

Claims 1 - 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over JP9-120818 in view of MatWeb “Overview - Polypropylene, Molded”.

JP9-120818 also fails to teach or suggest the formed through-holes in the resin layers of the anode and the cathode. Moreover, no combination of the cited references fairly teaches or suggests the subject matter of Claim 1. Thus, JP9-120818 and MatWeb may not properly be combined to reject Claim 1.

As such, Claim 1 is patentable over JP9-120818 in view of MatWeb, as are dependent Claims 1, 2, 4 and 6 – 9 for at least the same reasons.

Accordingly, Applicant respectfully requests that this claim rejection pursuant to 35 USC 103 be withdrawn.

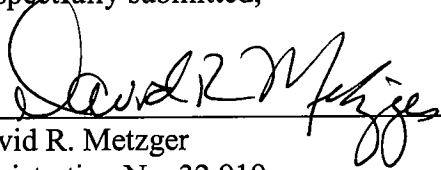
IV. Conclusion

In view of the above amendments and remarks, Applicant submits that Claims 1, 2, 4, and 6 – 9 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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